

Washington State Citizens Committee on Pipeline Safety
Meeting Minutes
Location: WUTC - Olympia, WA
July 19, 2005

Present

Katie Hansen, Chair
Carl Weimer, Vice Chair
Shirley Olson
Duane Henderson
George Hills
Richard Kuprewicz
Pete Kmet
Nate Moxley
Jim Clark
Grant Jensen
Leo Bowman

Absent

Chuck Mosher
Ken Thomas

Public present at the meeting

Dan Meredith, Cascade Natural Gas
Marianna Archey, Roundtable Associates
Bill Stowell, Valero LP
Ken Meyer, Citizen
Carolyn Lake, Valero LP
Mike Cohen, Citizen
Craig Overstreet, Citizen
Dave Barnes, BP
Alan Rathbun, Washington Utilities and Transportation Commission
Tim Sweeney, Washington Utilities and Transportation Commission
Lindsay Marquez, Washington Utilities and Transportation Commission
Steve King, Washington Utilities and Transportation Commission
Rebecca Post, WSDOE Pipeline Coordinator

Agenda:

1. Adoption of May 17, 2005 Meeting Minutes
2. Welcome and Introduction of New WUTC Commissioners
3. WUTC Pipeline Safety Section Update
4. Siting Education
5. Updates on Efforts of Northwest Common Ground Alliance and Pipeline Land use Initiatives
6. Citizen Inquiry – BP Olympic Tacoma Lateral
7. Introduction of Draft Public Awareness/Right-to-Know” Website
8. CCERT Update
9. Finalize October Meeting Date

1. **Adoption of May 17, 2005 Meeting Minutes** – The meeting was brought to order. Committee member Leo Bowman had one minor edit to section nine of the minutes relative to the use of hydrogen fuel cells of the Benton/Franklin Transit. The committee members moved to adopt the minutes as amended.
2. **Welcome and Introduction of New WUTC Commissioners** – The newly appointed WUTC Commissioner's, Chairman Mark Sidran and Commissioner Philip Jones, attended the committee meeting to introduce themselves and meet the committee members.
3. **WUTC Pipeline Safety Update** – Alan Rathbun, WUTC Pipeline Safety Director, gave an update on the current events in the pipeline safety section.

Call Before You Dig legislation takes effect:

ESHB 1539 becomes effective on July 24, 2005. This bill amends RCW 19.122 and makes it a misdemeanor for an excavator to excavate within 35 feet of a transmission pipeline without proper one-call notification. Further, each violation (whether the pipeline is damaged or not) subjects the excavator to a civil penalty of not more than ten thousand dollars for each violation. While the WUTC does not have any enforcement authority over this statute, we are planning a "press release" to assist in communicating this change in damage prevention law. A copy of the press release has been distributed for your reference.

Williams Pipeline – Amended Corrective Action Order Update:

Williams Capacity Replacement project is moving forward. The final Environmental Impact Statement (NEPA EIS) is expected to be issued by FERC in late July. It will then be up to the Department of Ecology to determine if they will adopt this federal EIS so local, state and federal permits can begin to be issued in September. Williams hopes to commence several river crossing utilizing horizontal directional drills in the October to December timeframe. The remainder of the new 36-inch pipeline construction is scheduled for 2006.

Bellevue Explosion and House Fire:

At the request of Commission staff a pre-hearing conference was held on June 15 to consider changes in the procedural schedule for this case. Staff is now expected to file its direct testimony on or before July 21. PSE will file its direct case on or before August 15. The evidentiary hearing is remains scheduled for September 19-21 but a settlement conference has been added to the schedule on August 22-23.

WUTC Gas Safety Rules:

The new Gas Safety Rules took effect on June 2, 2005, however, after this comprehensive re-write; a few deficiencies have been noted. Staff is recommending the Commission commence rule making to correct a very limited number of errors and address needed clarification. Consideration of adopting a preproposal statement of inquiry is scheduled for the July 29, 2005 Open Meeting.

Proposed Fee Methodology Rule Filed:

The Commission filed a supplemental notice of proposed rulemaking on the proposed method of calculating pipeline safety fees. While the new proposal continues to be substantially the same, enough changes were made to require a new notice. Written comments on the new proposal were due July 15 with the adoption date now set for Friday, July 29, 2005.

Public and Agency Meetings held on proposed Northern Star (Bradwood Landing) site:

The only proposed LNG import terminal to file a notice of intent with FERC is Northern Star. This site along the Columbia is at an old log mill site directly across the river from Cathlamet, Washington and Puget Island (also part of Washington). The FERC review process will evaluate the siting of the import facility and a proposed 36-inch diameter transmission pipeline proposed to take the gas from the import facility east, crossing the Columbia at some point north of Longview and connecting with Williams Northwest pipeline system. Oregon's EFSEC is simultaneously evaluating the import facility site, but FERC has sole jurisdiction over the pipeline siting. The WUTC and pipeline safety have no statutory role in this process, but we will continue to monitor its progress.

Agency Request Legislation:

Pipeline Safety staff plans to bring forth proposed agency request package on two issues:

- a) Release of GIS information. The UTC is subject to release due to public disclosure laws. Need balance, need enough information but guard the details of infrastructure.
- b) Clean up of the pipeline safety laws. Natural gas and hazardous liquid are in two separate statutory titles (Title 80 for natural gas and Title 81 relating primarily to liquids). The legislation will consolidate the titles into one. There is still no clear jurisdiction on master meters and small propane gas distribution systems. The draft legislation proposes to study these small gas systems and develop a proposal as to how to most effectively address the safety of these systems. Staff will distribute the draft legislation to the committee for review. The committee may want to form a sub-committee to review the draft legislation.

Lindsay Marquez is leaving the Commission:

Lindsay Marquez, who has been with the Commission since September 1999, has accepted a position with the City of Olympia. Lindsay came to work with pipeline safety in October 2000 and has been working with the Citizens Committee since its first meeting. Lindsay was a tremendous resource to pipeline safety and the Commission. She will be greatly missed and we wish her the very best.

4. **Siting Education** – This discussion was prompted by Federal Energy Regulatory Commission (FERC) public hearings for the Williams Capacity Replacement project. Citizens that attended those meetings in the spring of 2005 appeared frustrated with FERC process. Tim Sweeney, with the WUTC Pipeline Safety Section, spoke to the committee about the state's equivalent to FERC called the Energy Facility Site Evaluation Council (EFSEC). Tim first explained that he is the WUTC representative on the EFSEC council and serves at the pleasure of the WUTC Commissioners. EFSEC's siting jurisdiction is over natural gas transmission pipelines is; limited to those that are in excess of 14-inches inside diameter, at least 15 miles in length and serve a distribution facility. EFSEC also sites pipelines that are associated with an energy facility. They also have jurisdiction over crude or refined petroleum pipelines that are larger than 6-inches in diameter and have a total length of at least 15 miles. Carl Weimer discussed FERC's authority which relates only to siting of interstate natural gas facilities. Relative to those pipelines that do not meet EFSEC siting jurisdiction, Duane Henderson discussed the UTC natural gas safety rules 480-93-020 Proximity Considerations. While not a siting rule, this regulation requires the company to: (1) operate a pipeline at greater than 500 psig must be 500 feet from a series of structures ; (2) operate a pipeline above 250 psig must be a minimum of 100 feet from a series of structures. A company must seek a waiver from the Commission to vary from this standard. No committee action was taken on this subject. This was an educational opportunity for the committee.

5. **Updates on Efforts of Northwest Common Ground Alliance and Pipeline Land use Initiatives** – Committee member George Hills gave the committee an update on the efforts of the Northwest Common Ground Alliance. George is the committee liaison and explained that the Alliance's goal is to educate people on how they can perform excavation best practices. The Pipeline Land Use ad-hoc group plans to hold workshops in the fall of 2005, which are a follow-up to the 2004 workshops. The group, facilitated by Bob and Mariana Archey of Roundtable Associates, plans to create land use guidelines using existing standards created in Canada. The guidelines will be created in collaboration with the pipeline industries and local governments. Roundtables plans to conduct a case study on a situation that occurred in the Whatcom County area. The study would center on a housing development that was constructed near a petroleum pipeline. They hope to bring together all the players and interactively work through what happened in this housing development.
6. **Citizen Inquiry – BP Olympic Tacoma Lateral** – Mike Cohen, citizen and with MC Construction, e-mailed committee members Pete Kmet and Shirley Olson about the Olympic Tacoma Lateral. Mr. Cohen was concerned that the line had leak problems and would pollute the Thea Foss waterway if there was a spill. In his e-mail, Mr. Cohen does not see the benefit to the citizens of Tacoma in maintaining the Tacoma Lateral. He was also concerned with the franchise agreement between BP Olympic Pipeline Company and the City of Tacoma. Committee member Jim Clark, with BP Olympic Pipeline Company, gave some information about the Tacoma Lateral that serves 3 terminals at the Port of Tacoma. Jim stated that the pipeline was built in 1965 and is 4 miles long and 8 inches in diameter. The pipeline is the major supply point for Tacoma. Product would have to be trucked or barged in if the pipeline was not in use. Jim said there have been no leaks on the pipeline, only an overflow of a barrel in 2001. Rebecca Post with the State of Washington Department of Ecology was also present to state the delivery facility has had 3 leaks because of equipment failure and operator mistakes, but there have been no releases on the pipeline itself. Carolyn Lake attended the meeting representing the Shore Terminal (Valero LP) which is one of the customers that uses the product in the pipeline. She gave the committee a letter that explained the rest of the "story". She explained that the Tacoma Chamber of Commerce plans to delete residential zoning. Chair Katie Hansen thanked all the interested parties for attending and speaking with the committee on this subject.
7. **Introduction of Draft "Public Awareness/Right-to-Know" Website** – Vice Chair Carl Weimer presented the draft website that displays pipeline information for citizens. The committee did not make any decisions about who would be the "keeper" of this website at the July 19th meeting. They decided to go back and review the website and then devote a good amount of time at a future meeting to discuss and decide on the final content. The committee needs to decide if pipeline maps should be on the website and in what detail. The committee would like to further discuss to what degree they make this website and its content their own.
8. **CCERT Update** – Richard Kuprewicz gave a brief update on the progress of OPS's Controller Certification program. He stated that the program is moving ahead slowly as our Committee's letter to OPS recommended, only include transmission pipelines in the initial pilots for this program.
9. **Finalize October Meeting Date** – October 19 and 20 would be the dates for the next committee meeting in the Tri-Cities. The committee expressed an interest in using one of those days to have

a site visit to a pipeline facility in the Tri-Cities area. The morning of October 20th would be used for the public meeting.